

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

KENNETH R. REID,

Petitioner

v.

DAVID J. EBBERT,

Respondent

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CIVIL NO. 1:15-CV-1355

(Judge Rambo)

(Magistrate Judge Saporito)

ORDER

AND NOW, this 12th day of August, 2015, **IT IS HEREBY
ORDERED THAT:**

- 1) The court adopts the report and recommendation (Doc. 5) of Magistrate Judge Saporito.
- 2) Petitioner's motion to amend the petition (Doc. 6) is deemed moot.
- 3) The petition for writ of habeas corpus (Doc. 1) filed pursuant to 28 U.S.C. § 2241 is dismissed without prejudice to Petitioner's right to file a petition pursuant to § 2255, subject to the pre-authorization requirements of 28 U.S.C. § 2254 and 2255(h).
- 4) The Clerk of Court shall close the file.
- 5) This court declines to issue a certificate of appealability.

s/Sylvia H. Rambo
United States District Judge